

HKSAR Government vehemently opposes comments by US Congressional-Executive Commission on China

The Government of the Hong Kong Special Administrative Region (HKSAR) today (October 5) expressed strong opposition to a misleading report by the United States Congressional-Executive Commission on China, in which comments in respect of the efforts of the HKSAR Government in safeguarding national security are totally biased.

Acts and activities that endanger national security may have very serious consequences, and hence actions must be taken to prevent and suppress such acts and activities. Any law enforcement actions taken by Hong Kong law enforcement agencies are based on evidence, strictly according to the law, for the acts of the persons or entities concerned, and have nothing to do with their background. It would be contrary to the rule of law to suggest that people of certain sectors or background could be above the law.

It should also be noted that Article 4 of the National Security Law provides that human rights shall be respected and protected in safeguarding national security in the HKSAR, while Article 5 of the Law affirms adherence to the principle of the rule of law while enforcing the law against offences endangering national security. The Hong Kong Court of Final Appeal has pointed out that these two Articles are centrally important to the interpretation of the National Security Law generally. The attacks to the rule of law by the report is totally unsubstantiated.

As regards the report's ungrounded allegations on disbandment of organisations, it should also be stressed that the National Security Law does not seek to prevent, suppress and punish normal interactions with other countries, regions or relevant international organisations. Moreover, the HKSAR Government reaffirms that freedom of association in the HKSAR is guaranteed under the Basic Law. That said, whilst freedom of association should be respected and protected, similar to other rights and freedoms, it is not absolute. It may be subject to restrictions that are provided by law and are necessary for pursuing legitimate aims such as the protection of national security or public order.

While some organisations might decide to disband on their own accord, relevant authorities may also disband certain organisations in accordance with the relevant law with a view to minimising the risks of endangering national security that an organisation may bring about. Any such actions are taken in strict accordance with the law.

It should also be pointed out that it is the common responsibility of all the people of Hong Kong to safeguard national security, and any institution, organisation or individual in the HKSAR shall abide by the National Security Law and the laws of HKSAR in relation to safeguarding

national security. Efforts of the HKSAR Government to strengthen publicity and education, so as to enhance the understanding of national security and law-abiding awareness of various sectors of the community, is fully justified and necessary.